

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY, INC.	)	
FOR A CERTIFICATE OF PUBLIC CONVENIENCE	)	
AND NECESSITY AUTHORIZING THE	)	CASE NO.
IMPLEMENTATION OF AN ACCELERATED SERVICE	)	2015-00210
LINE REPLACEMENT PROGRAM, APPROVAL OF	)	
OWNERSHIP OF SERVICE LINES, AND A GAS	)	
PIPELINE REPLACEMENT SURCHARGE	)	

ORDER

Duke Energy Kentucky, Inc. (“Duke Kentucky”) tendered an application with the Commission in this matter on July 6, 2015. Therein, Duke Kentucky proposed an effective date of August 6, 2015, for its proposed Accelerated Service Line Replacement Program (“ASRP”) tariff. Although the application was initially determined to be complete,<sup>1</sup> the Commission issued an Order on July 24, 2015, finding the application deficient due to the omission of any information indicating that Duke Kentucky had given notice of the proposed tariff and new rate to its customers as required by 807 KAR 5:011, Section 8. That Order directed Duke Kentucky to provide customer notice of its proposed tariff and rates as required by Commission regulation and to provide proof of notice to the Commission. Further, the Order stated that the statutory notice period to the Commission for the proposed tariff and rates would not commence until the proof of notice is filed. On July 30, 2015, Duke Kentucky filed its

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<sup>1</sup> See letter from Linda Faulkner to Parties of Record dated July 13, 2015.

proof of customer notice, demonstrating that its proposed tariff and rates had been published in newspapers prior to the Commission's July 24, 2015 Order.

Based on the proof of publication filed on July 30, 2015, and Duke Kentucky's furnishing of this information to the Commission as required by 807 KAR 5:011, Section 9(2), the Commission finds that Duke Kentucky has now provided sufficient information to show compliance with the customer notice requirements set forth in 807 KAR 5:011. Duke Kentucky's application is, therefore, accepted for filing as of July 30, 2015. As Duke Kentucky is proposing an increase in rates and KRS 278.180(1) requires 30 days' notice to the Commission for a change in rates other than a decrease, the earliest possible effective date for Duke Kentucky's proposed tariff and rates, based on a filed date of July 30, 2015, is August 29, 2015. The Commission finds that further proceedings are necessary in order to determine the reasonableness of the proposed tariff and rates, that such proceedings cannot be completed prior to August 29, 2015, and that Duke Kentucky's proposed tariff and rates should be suspended as provided for in KRS 278.190. In addition, the Commission finds that a procedural schedule should be established to commence a review of the reasonableness of the proposed ASRP tariff. That procedural schedule is attached hereto as an Appendix to this Order and is incorporated herein.

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's proposed ASRP tariff is accepted for filing as of July 30, 2015, to be effective as of August 29, 2015.
2. Duke Kentucky's proposed ASRP tariff is suspended for five months from August 29, 2015, up to and including January 28, 2016.

3. The procedural schedule set forth in the Appendix shall be followed.
4. All parties shall respond to any interrogatories or requests for production of documents that Commission Staff submits in accordance with the procedural schedule set forth in the Appendix.
5.
  - a. Responses to requests for information in paper medium shall be appropriately indexed, bound and tabbed. All responses shall include the name of the witness who will be responsible for responding to questions related to the information provided.
  - b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.
  - c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.
  - d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.
  - e. Any party filing testimony shall comply with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall file with the Commission an original in paper medium and an electronic copy.

f. Any party filing a document containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the document so that the personal information cannot be read.

6. Duke Kentucky shall give notice of the hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time publication is requested, Duke Kentucky shall forward a duplicate of the notice and request to the Commission.

7. The official record of the proceeding shall be by video only.

8. At the public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

9. Any objections or motions relating to discover or procedural dates shall be filed upon four business days' notice or the filing party shall explain, in writing, why such notice was not possible.

10. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

11. A person who submits a motion to intervene after August 17, 2015, and, upon a showing of good cause, is granted full intervention shall accept and abide by the existing procedural schedule.

12. Nothing herein shall prevent the Commission from issuing further Orders in this matter prior to the end of the suspension period.

By the Commission

ENTERED  
AUG 05 2015  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2015-00210 DATED **AUG 05 2015**

- Requests for intervention shall be filed  
no later than..... 08/17/15
- Initial requests for information to Duke shall be filed  
no later than..... 08/27/15
- Responses to initial requests for information by Duke  
shall be filed no later than..... 09/10/15
- Supplemental requests for information to Duke shall be filed  
no later than..... 09/23/15
- Responses to supplemental requests for information by Duke  
shall be filed no later than..... 10/06/15
- Intervenor testimony, if any, in verified prepared  
form, shall be filed no later than .....10/19/15
- All requests for information to Intervenors shall  
be filed no later than .....11/02/15
- Intervenors shall file responses to requests for  
information no later than .....11/16/15
- Last day for Duke Kentucky to publish notice of hearing ..... To be scheduled
- Public Hearing to be held in Hearing Room 1  
of the Commission's offices at 211 Sower Boulevard,  
Frankfort, Kentucky, for the purpose of cross-examination  
of witnesses of Duke Kentucky and Intervenors ..... To be scheduled

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